

4.19 ENVIRONMENTAL JUSTICE

This section evaluates whether the proposed Project would result in significant adverse effects that disproportionately affect identified minority or low-income populations. Since the analysis shows that there are minority, Spanish-speaking populations in the Project area that could be affected by the Project, the section describes how the Project's impacts could adversely affect such populations.

Comments received during scoping addressed in this section include requests that the draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) identify the cultural, socioeconomic, and ethnic populations that could be affected disproportionately by this Project; disclose what efforts have been made to solicit input from these populations as well as provide adequate notice to affected populations; and describe mitigation measures to reduce any disproportionate impacts.

In anticipation of these concerns, information about the proposed Project throughout the scoping process was provided in both English and Spanish. The Notice of Intent/Notice of Preparation (NOI/NOP) was translated and made available in Spanish; Spanish-speaking individuals were available at all three open houses and scoping meetings for participants who required translation in order to provide comments, and literature provided at the open houses was available in both English and Spanish. Several participants made public oral comments in Spanish, which were translated and responded to instantaneously, all of which was recorded. In addition, the draft EIS/EIR has been translated into Spanish. The Agency staff could consult further with the affected communities to identify additional opportunities for communication with environmental justice communities and would encourage additional discussion and input from residents of those communities, particularly with regard to mitigation measures proposed to reduce the potential public safety impacts near manufactured homes or mobile home communities.

Background

On February 11, 1994, President Clinton issued an "Executive Order on Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," which was designed to focus attention on environmental and human health conditions in areas of high minority populations and low-income communities and to prevent discrimination in programs and projects substantially affecting human health and the environment (Federal Register 1994). The order requires the United States Environmental Protection Agency (USEPA) and all other Federal agencies (as well as state agencies receiving Federal funds) to develop strategies to address this issue. The agencies are required to identify and address any disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority and/or low-income populations.

In 1997, the USEPA's Office of Environmental Justice released the Environmental Justice Implementation Plan, supplementing the USEPA environmental justice strategy and providing a framework for developing specific plans and guidance for implementing

Executive Order 12898. Federal agencies received a framework for the assessment of environmental justice in the USEPA's Guidance for Incorporating Environmental Justice Concerns in USEPA's National Environmental Policy Act (NEPA) Compliance Analysis in 1998. This approach emphasizes the importance of selecting an analytical process appropriate to the unique circumstances of the potentially affected community.

With respect to California State policy, AB 1553, signed into law in October 2001, requires the Governor's Office of Planning and Research (OPR) to adopt guidelines for addressing environmental justice issues in local agencies' general plans. Currently, the OPR is in the process of updating the General Plan Guidelines to incorporate the requirements of AB 1553. No regional or local environmental justice policies and/or assessments have been performed by agencies within the study area.

The California State Lands Commission (CSLC) has developed and adopted an Environmental Justice Policy to ensure equity and fairness in its own processes and procedures. The CSLC adopted an amended Environmental Justice Policy on October 1, 2002, to ensure that "Environmental Justice is an essential consideration in the Commission's processes, decisions and programs and that all people who live in California have a meaningful way to participate in these activities."

The policy stresses equitable treatment of all members of the public and commits to consider environmental justice in its processes, decision-making, and regulatory affairs, which are implemented, in part, through identification of and communication with relevant populations that could be adversely and disproportionately impacted by CSLC projects or programs and by ensuring that a range of reasonable alternatives is identified that would minimize or eliminate environmental impacts affecting such populations. This discussion is provided in this EIS/EIR consistent with and in furtherance of the Commission's Environmental Justice Policy. The staff of the CSLC is required to report back to the Commission on how environmental justice is integrated into its programs, processes, and activities (California State Lands Commission 2002).

Methodology

To address these policies, this analysis discusses whether the proposed Project would result in significant adverse effects that disproportionately affect minority or low-income populations. The following subsection presents the demographics of the State, region, and area of potential impact. Minority and low-income populations in the Project area and specifically those that could be impacted are identified. Demographic data from the 2000 United States Census are presented by Census Tract, Block Group, and Block. More specific information about the demographic analysis is presented in Subsection 4.19.1, "Environmental Setting."

Once populations with a relatively high representation of minority or low-income status are identified, Subsection 4.19.4, "Impact Analysis," discusses how the Project could affect those communities and concludes whether there is a potential for the Project to disproportionately adversely affect those populations.

4.19.1 Environmental Setting

The background and factors considered in the selection of the site for the proposed Project and an expanded discussion of the basis for alternatives considered in defining the specific proposed pipeline route are included in Section 2, “Project Description,” and in Section 3, “Alternatives.” This section describes the composition and distribution of minority and low-income populations for Ventura County and the City of Santa Clarita.

4.19.1.1 Minority Population

Ventura County, Los Angeles County, and the City of Oxnard

The proposed Center Road Pipeline is located in the City of Oxnard and Ventura County (see Figure 2.1-1). Of the overall 14.3-mile (23 kilometers [km]) Center Road Pipeline length, about 4.5 miles (7.2 km) or 31.5 percent is located in the City of Oxnard and the rest is within the jurisdiction of Ventura County.

According to the Ventura County Workforce Investment Board (2002), Ventura County demographics are dominated by the following trends: (1) most Ventura County population growth is a result of international immigration; (2) the share of Hispanics¹ in the population is increasing; and (3) the share of young people is larger in Hispanic populations than in Non-Hispanic populations. The population in Oxnard has increased 19.8 percent, from 142,216 in 1990, to 170,358 in 2000 (Ventura County Workforce Investment Board 2002, p. 4, Table 1).

The population by ethnic and racial groups by counties and cities in the Project area is shown in Table 4.19-1 as an overview of the composition of the population within the onshore pipeline Project area. This table indicates that although the racial composition of Ventura County is predominately white, at 69.9 percent, the category of “some other race” is claimed by 17.7 percent of the population. The ethnic composition of Ventura County is 33.4 percent Hispanic or Latino in comparison with the State, which has 32 percent Hispanic or Latino representation.

Oxnard is the largest city in Ventura County. The racial composition of Oxnard is 42.1 percent white and the category of “some other race” is claimed by 40.4 percent of the City’s population (Table 4.19-1). The ethnic composition of Oxnard is 66.2 percent Hispanic or Latino in comparison with Ventura County which is 69.9 percent white and 33.4 percent Hispanic or Latino.

¹ Historically, the U.S. Census Bureau has classified race and Hispanic origin as two separate concepts. The recent introduction of the option to report more than one race added more complexity to the presentation and comparison of U.S. Census data. Race and Hispanic origin are two separate concepts in the Federal statistical system. People who are Hispanic may be of any race. People in each race group may be either Hispanic or Not Hispanic. Each person has two attributes, their race (or races) and whether or not they are Hispanic. Overlap of race and Hispanic origin is the main comparability issue. For more information on the definition of the term “Hispanic” see U.S. Census Bureau, 2004 <http://www.census.gov/population/www/socdemo/compraceho.html>. This EIS/EIR uses the term “Hispanic or Latino.”

Table 4.19-1 Population by Ethnic and Racial Groups –Counties and Cities in Project Area

Area	2000 population	Percentage of Total
Ventura County	753,197	100
One race	723,624	96.1
White	526,721	69.9
Black or African American	14,664	1.9
American Indian and Alaska Native	7,106	0.9
Asian	40,284	5.3
Native Hawaiian or Other Pacific Islander	1,671	0.2
Some other race	133,178	17.7
Two or more races	29,573	3.9
<i>Ethnic - Hispanic or Latino</i>	251,734	33.4
City of Oxnard	170,358	100
One race	162,309	95.3
White	71,688	42.1
Black or African American	6,446	3.8
American Indian and Alaska Native	2,143	1.3
Asian	12,581	7.4
Native Hawaiian or Other Pacific Islander	698	0.4
Some other race	68,753	40.4
Two or more races	8,049	4.7
<i>Ethnic - Hispanic or Latino</i>	112,807	66.2
Los Angeles County	9,519,338	100
One race	9,049,557	95.1
White	4,637,062	48.7
Black or African American	930,957	9.8
American Indian and Alaska Native	76,988	0.8
Asian	1,137,500	11.9
Native Hawaiian or Other Pacific Islander	27,053	0.3
Some other race	2,239,997	23.5
Two or more races	469,781	4.9
<i>Ethnic - Hispanic or Latino</i>	4,242,213	44.6
City of Santa Clarita	151,088	100
One race	145,204	96.1
White	120,157	79.5
Black or African American	3,122	2.1
American Indian and Alaska Native	886	0.6
Asian	7,923	5.2
Native Hawaiian or Other Pacific Islander	220	0.1
Some other race	12,896	8.5
Two or more races	5,884	3.9
<i>Ethnic - Hispanic or Latino</i>	30,968	20.5
Source: United States Department of Commerce, Bureau of Census (2000), Profile of General Demographic http://censtats.census.gov/cgi-bin/pct/pctProfile.pl		

A summary of Hispanic or Latino population statistics in the Project area is presented in Table 4-19-2. The data show that there is a larger percentage of Hispanic or Latinos present along the proposed Center Road Pipeline and alternate routes, in comparison with Hispanic or Latino populations in Ventura County and the State. No other minority population exceeds 50 percent or has a population greater than the State's or County's and therefore, this analysis focuses on the Hispanic or Latino population along the route.

Because the Hispanic or Latino population in the City of Oxnard is more than 50 percent and Ventura County has a slightly higher percentage of Hispanic or Latino population than California's, a detailed investigation of the ethnic composition of the population located along the Center Road Pipeline was investigated using census tract and census block information.

Table 4.19-2 Summary of Hispanic or Latino Population along the Center Road Pipeline and Alternatives

U.S. Census 2000	Not Hispanic or Latino	Hispanic or Latino	Total	Hispanic or Latino Percent of Total
State	22,905,092	10,966,556	33,871,648	32
Ventura County	501,463	251,734	753,197	33
City of Oxnard	57,551	112,807	170,358	66
Center Road Pipeline	780	1,068	1,848	58
Alternative 1	2,343	5,754	6,984	82
Alternative 2	784	971	1755	55
Source: United States Census Bureau American Fact Finder and BHP Billiton LNG International, Inc.				

To identify whether the percentage of Hispanic or Latino population along the pipeline route could be disproportionately adversely affected by the Project's impacts, more data, specifically in the area where significant impacts would occur, were obtained using the Census Bureau's American Fact Finder 2000 database. Data describing the ethnic composition of smaller geographic areas, census tracts and blocks, were obtained to identify potential pockets of minority communities that may not be apparent when analyzing aggregated data on a City and County level.

A review of the Project's overall impacts was conducted to identify the appropriate level of data analysis. All of the Project's onshore impacts that could affect minority communities disproportionately are related to less than significant temporary construction impacts, with the exception of one significant potential safety impact discussed in Section 4.2, "Public Safety." As described in that section, the results of an analysis of the Center Road Pipeline shows a High Consequence Area (HCA) that is basically a corridor 818 feet wide on either side of the pipeline. This is the area in which a pipeline rupture could cause a potentially significant impact on members of the public.

1 The block data presented in Table 4.19-3 show the percent of population that is
 2 Hispanic or Latino within the HCA along the Center Road Pipeline. The block data
 3 show the number of persons identifying themselves as Hispanic or Latino and the
 4 percentage of each block that is Hispanic or Latino. The percentage of Hispanics or
 5 Latinos in each census tract and each block are presented in comparison with the City,
 6 County, and State percentages. When looking at each block along the route, a majority
 7 has 51 percent or greater Hispanic or Latino population. It should be noted, however,
 8 each block might be larger than the area encompassed by the HCA. The numbers of
 9 residents in each block does not necessarily represent those who are living within the
 10 HCA. Since the census does not disaggregate block level data, the block is the
 11 appropriate level of analysis for this purpose.

Table 4.19-3 Hispanic or Latino Population of the Proposed Onshore Pipeline Route

Census Tract Block No.	Total Number of Hispanic or Latino Individuals	Total Population of Tract & Block Total	Percentage of Hispanic Population of Block	Percentage of Hispanic Population of Census Tract	Percentage of Hispanic Population of City of Oxnard	Percentage of Hispanic Population of Ventura County	Percentage of Hispanic Population of State of CA
Tract 47.02	2,518	4,612		55	66	33	32
Block 1002	8	9	89				
1018	38	55	69				
1019	37	38	97				
1024	4	4	100				
1025	10	15	67				
1027	14	14	100				
1028	0	0	0				
1029	0	0	0				
1030	0	0	0				
2007	278	423	66				
2017	7	7	100				
Block total	396	565	68				
Tract #47.04	1,035	1,510		69	66	33	32
2001	0	15	0				
2004	27	32	84				
2005	2	8	25				
2009	18	32	56				
2010	23	27	85				
2011	4	15	27				
2012	175	178	98				
Block total	249	307	81				
Tract #49	5,640	6,690		84	66	33	32
1000	0	0	0				
1001	0	0	0				
1002	0	0	0				
1081	0	0	0				
1082	0	0	0				

Table 4.19-3 Hispanic or Latino Population of the Proposed Onshore Pipeline Route

Census Tract Block No.	Total Number of Hispanic or Latino Individuals	Total Population of Tract & Block Total	Percentage of Hispanic Population of Block	Percentage of Hispanic Population of Census Tract	Percentage of Hispanic Population of City of Oxnard	Percentage of Hispanic Population of Ventura County	Percentage of Hispanic Population of State of CA
1091	0	0	0				
1092	0	0	0				
Block total	0	0	0				
Tract #50.02	2,444	2,942		83	66	33	32
1000	0	2	0				
1018	0	1	0				
Block total	0	3	0				
Tract #52.01	743	8,232		9	66	33	32
2040	14	17	82				
2057	0	0	0				
2058	0	0	0				
Block total	14	17	82				
Tract #51	1,559	3,875		40	66%	33	32
1001	56	72	78				
1002	9	19	47				
1003	332	744	45				
2042	21	116	18				
2060	15	30	50				
2061	0	0	0				
2062	13	13	100				
Block total	446	994	45				
TOTAL blocks	1,105	1,886	58				

- 1 The HCA is intended to help identify public safety risks in the case of a pipeline rupture.
- 2 Many of the census blocks along the Center Road Pipeline are unpopulated because
- 3 the route is located mostly in an agricultural area (Table 4.19-4 shows that 36 percent of
- 4 the blocks are unpopulated). Forty-four (44) percent of the pipeline route either is
- 5 unpopulated or does not contain a majority Hispanic/Latino population.
- 6 Nevertheless, the data show that there is a high level of Hispanic or Latino population
- 7 present within the HCA, and thus there is a potential disproportionate adverse impact on
- 8 minority communities. See Section 4.19.4, "Impact Analysis," for a discussion of this
- 9 impact.

Table 4.19-4 Unpopulated Blocks Along Center Road Pipeline and Loop 225 Pipeline Routes

Route	No. of Blocks	Unpopulated Blocks	Unpopulated %	Unpopulated or Lacking a Hispanic/Latino Majority Blocks	Unpopulated or Lacking an Hispanic/Latino Majority %
Center Road Pipeline					
Proposed	36	13	36	16	44
Alt 1	63	27	43	30	48
Alt 2	38	17	44	18	47
Line 225 Pipeline Loop					
Proposed	44	35	80	35	80
Alternate	35	25	71	25	71
Source: U.S. Census Bureau American Fact Finder and BHP Billiton LNG International, Inc.					

1 City of Santa Clarita

2 Santa Clarita is a relatively new city, incorporated in December 1987. The ethnic mix of
3 the city's population in 2003 was not as diverse as Los Angeles County's population. In
4 2000, approximately 79.5 percent of the City's population described itself as white and
5 20.5 percent as Hispanic or Latino ethnicity (Table 4.19-1). In 2003, 78.3 percent of the
6 population was non-Hispanic/Latino and 21.7 percent was Hispanic. In comparison,
7 Los Angeles County is 48.7 percent white, 23.5 percent some other race, and 4.9
8 percent two or more races (City of Santa Clarita 2004) compared with the State of
9 California, which was 59.5 percent white and 32 percent Hispanic or Latino from a total
10 population of 33,871,648 (U.S. Department of Commerce, Bureau of Census 2000).

11 Table 4.19-5 presents a summary of the Hispanic or Latino population near the Line 225
12 Pipeline Loop. As shown, the Hispanic or Latino population along both the proposed
13 route and alternative route is 13 percent and 11 percent, respectively, which are less
14 than the 50 percent criterion and also less than the Hispanic population of Santa Clarita
15 as a whole. Many of the blocks along the Line 225 Pipeline Loop are unpopulated. As
16 such, the data do not indicate that a minority community may be present at a sufficient
17 level along the Line 225 Pipeline Loop or its alternatives that warrants a more detailed
18 block level analysis.

19 4.19.1.2 Income Distribution in the Project Area

20 The median household income in Oxnard is \$48,603, and in Santa Clarita it is \$73,588.
21 Ventura County's median household income is \$59,666, and Los Angeles County's is
22 \$42,189. All, except Los Angeles County, are higher than the State's median
23 household income of \$47,493.

24 Agricultural businesses in Oxnard are also among the City's leading employers,
25 including Seminis, Inc. (with 2,702 employees in 2003); Boskovich Farms (with 1,000
26 employees in 2003); and Cal-Sun Produce, Coastal Berry Co., Eclipse Berry Farms,

1 and Pacifico Berry Farms (each with totals between 300 and 600 employees) (EDCO
2 2003). These and other agricultural businesses attract seasonal workers.

**Table 4.19-5 Summary of Hispanic or Latino Population Within Proposed and
Alternative Onshore Pipeline Routes – Line 225 Pipeline Loop**

U.S. Census 2000	Not Hispanic or Latino	Hispanic or Latino	Total	Hispanic or Latino Percent of Total
State	22,905,092	10,966,556	33,871,648	32%
Los Angeles County	5,277,125	4,242,213	9,519,338	45%
City of Santa Clarita	120,120	30,968	151,088	20%
Proposed Route	3,337	497	3,834	13%
Alternative Route	3,429	444	3,873	11%
Source: U.S. Census Bureau American Fact Finder http://factfinder.census.gov/servlet/DatasetMainPageServlet?_lang=en&_ts=103407035103				

3 In 2000 there were 43,576 total households with a median income of \$48,603. Oxnard
4 had a per capita personal income of \$15,288, below the State of California average of
5 \$22,711 and Ventura County's average of \$24,600. Oxnard has more than one- third of
6 the County's poverty-level households and persons, followed by Simi Valley and the
7 unincorporated county areas. Countywide, there were more than 24,000 children under
8 age 18 living in poverty in 1999, of which 9,500 (about 40 percent) lived in Oxnard
9 (Ventura County Workforce Investment Board 2002).

10 Most of the jobs created in Oxnard and Port Hueneme between 1995 and 2000 were in
11 relatively low-wage sectors: agriculture (2,400), services (2,500), and the public sector
12 (2,000). Because of this, average salaries in 2000 were among the lowest in the
13 county, with agriculture-sector salaries at \$19,952/year and retail trade at \$19,694/year.
14 Salaries in the services sector were higher at \$30,383 (Ventura County Workforce
15 Investment Board 2002).

16 In Ventura County, the percentage of population below the poverty level is 9.2 percent,
17 which is less than California's 14.2 percent poverty rate (Table 4.19-6). The City of
18 Oxnard has the highest poverty rate (15.1 percent of the population). This level is
19 slightly higher than the State's 14.2 percent and the national rate of 13.3 percent. In
20 contrast, 6.4 percent of the City of Santa Clarita's population is below the poverty level.

21 A review of block group data from the 2000 census shows that the poverty rate along
22 the Center Road Pipeline route is 12 percent (Table 14.9-7). This is lower than the
23 State level of 14.2 percent; however, it is greater the Ventura County level of 9.2
24 percent. Therefore, the residents along this route could have a relatively higher level of

1 poverty. Impacts on low-income populations are discussed further in Section 4.19.4,
 2 “Impact Analysis.”

Table 4.19-6 Income Distribution – Counties and Cities in the Project Area Compared with the State

Area	Total Population	Per Capita Income	Median Household Income	Percentage of Individuals Below Poverty
State of California	33,871,648	\$22,711	\$47,493	14.2%
Ventura County	753,197	\$24,600	\$59,666	9.2 %
City of Oxnard	170,358	\$15,288	\$48,603	15.1%
Los Angeles County	9,519,338	\$20,683	\$42,189	17.9%
City of Santa Clarita	151,088	\$26,841	\$73,588	6.4%

Source: U.S. Department of Commerce, Bureau of Census (2000), Profile of General Demographic
<http://censtats.census.gov/cgi-bin/pct/pctProfile.pl>

3

Table 4.19-7 Summary of Population Below Poverty Level near Center Road Pipeline and Alternatives

U.S. Census 2000	Income 1999 Below Poverty Level	Income at or Above Poverty Level	Total Population	Percentage Below Poverty
State	4,706,130	28,393,914	33,100,044	14%
Ventura County	68,540	673,655	742,195	9%
City of Oxnard	25,505	143,131	168,636	15%
Proposed Route	2,211	16,297	18,508	12%
Alt 1 Route	5,337	32,347	37,684	14%
Alt 2 Route	2,554	18,060	20,614	12%

Source: U.S. Census Bureau American Fact Finder
http://factfinder.census.gov/servlet/DatasetMainPageServlet?_lang=en&_ts=103407035103

4 Line 225 Pipeline Loop

5 Similarly, the poverty levels shown on Table 4.19-8 demonstrate that the percentage of
 6 the population along the pipeline route at or below the poverty level is too low to be
 7 classified as a low-income population. Because the area of impact along the Line 225
 8 Pipeline Loop does not include low-income populations, it was not considered further in
 9 the impact analysis.

Table 4.19-8 Summary of Below Poverty Level Population of Proposed and Alternative Onshore Pipeline Routes – Line 225 Pipeline Loop

U.S. Census 2000	Income 1999 Below Poverty Level	Income at or Above Poverty Level	Total Population	Percentage Below Poverty
State	4,706,130	28,393,914	33,100,044	14%
Los Angeles County	1,674,599	7,675,172	9,349,771	18%
City of Santa Clarita	9,552	140,198	149,750	6%
Proposed Route				
TOTAL	131	4,830	4,961	3%
Alternative Route				
TOTAL	88	5,155	5,243	2%

Source: U.S. Census Bureau American Fact Finder

http://factfinder.census.gov/servlet/DatasetMainPageServlet?_lang=en&_ts=103407035103

1 4.19.2 Regulatory Setting

- 2 Major Federal and State laws and regulations related to environmental justice are
3 identified in Table 4.19-9.

Table 4.19-9 Major Laws, Regulatory Requirements, and Plans for Environmental Justice

Law/Regulation/Plan/Agency	Key Elements and Thresholds; Applicable Permits
Federal	
Executive Order (EO) 12898, Federal Actions to Address Environmental Justice in Minority and Low-Income Populations, (<u>Federal Register</u> 1994)	<ul style="list-style-type: none"> Requires that disproportionately high and adverse health or environmental impacts on minority and low-income populations be avoided or minimized to the extent feasible. EO 12898 requires Federal agencies to achieve environmental justice by identifying and addressing disproportionately high and adverse human health and environmental effects, including the interrelated socioeconomic effects of their programs, policies, and activities on minority populations and low-income populations in the United States. The USEPA defines environmental justice as the “fair treatment for people of all races, cultures, and incomes, regarding the development of environmental laws, regulations, and policies.” Over the last decade, attention to impacts of environmental pollution on particular segments of our society has been steadily growing. The USEPA process compares appropriate factors between a community of concern and either countywide or citywide references. These factors include minority representation, low-income representation, and environmental burden. A community of concern would be identified in a number of ways on the basis of municipality, census block group, user-defined radius around a source of pollution, or physical boundaries such as streets, rivers, or railroad tracks. Demographic data can be applied to determine whether the community

Table 4.19-9 Major Laws, Regulatory Requirements, and Plans for Environmental Justice

Law/Regulation/Plan/ Agency	Key Elements and Thresholds; Applicable Permits
	of concern is an area with potential environmental justice issues.
State	
The California State Lands Commission, (CSLC) Environmental Justice Policy Statement in April 2002, amended October 2002	<ul style="list-style-type: none"> ▪ Directed staff to circulate the statement for public review by October 2002. The Commission's policy will be provided to all trustees of granted lands, including the ports (CSLC, 2002). • The CSLC relies on the California Environmental Quality Act (CEQA) process to identify relevant populations that could be adversely and disproportionately affected by CSLC-reviewed projects or programs, to encourage participation of these populations, and to address potential impacts on such populations. In February 2003, the CSLC adopted the Guidance Document: Addressing Environmental Justice Issues within the Context of the CEQA Process (CSLC 2003). This document outlines the Commission's policies on early notification of groups or individuals potentially affected by the Project. It also outlines a methodology for an environmental justice analysis in a CEQA document, including the following components: (1) identification of low-income and minority populations in the vicinity of the Project; (2) determination of whether the identified communities are exposed to a potentially significant impact; and (3) determination of whether the identified communities are disproportionately affected by a potentially significant impact.
AB 1553	<ul style="list-style-type: none"> • California Assembly Bill (AB 1553) was approved in 2001 and requires the OPR to adopt guidelines for local agencies when addressing environmental justice issues in its general plans. OPR was required to adopt the guidelines by July 1, 2003.
SB 828	<ul style="list-style-type: none"> ▪ California Senate Bill (SB) 828 was also signed in 2001 and adds due dates for developing an interagency environmental justice strategy affecting the boards, departments, and offices within the California Environmental Protection Agency. The bill will require each of the California Environmental Protection Agency boards, departments and offices to review, identify, and address program obstacles impeding environmental justice by December 31, 2003 (Legislative Council of California 2002).
California Coastal Act Chapter 6 Article 3 Section 30530 - CCC	<ul style="list-style-type: none"> ▪ A program to maximize public access to and along the coastline is to be prepared and implemented in a manner that ensures coordination among and the most efficient use of limited fiscal resources by Federal, State, and local agencies responsible for acquisition, development, and maintenance of public coastal accessways. ▪ Public access programs are to be coordinated so as to minimize costly duplication and conflicts and to assure that, to the extent practicable, different access programs complement one another and are incorporated within an integrated system of public accessways to and along the state's coastline. The Legislature recognizes that different public agencies are currently implementing public access programs and encourages such agencies to strengthen those programs in order to provide yet greater public benefits.

4.19.3 Significance Criteria

An environmental justice impact would be considered significant if Project construction or operation would:

- Cause a disproportionately adverse impact for a population that is more than 50 percent minority or has a minority population that is meaningfully greater than the minority population in the general population or other appropriate unit of geographic analysis.
- Cause a disproportionately adverse impact for a low-income population (as defined by poverty thresholds from the Bureau of the Census).

4.19.4 Impact Analysis

The main adverse impacts associated with construction that would occur near the pipelines would be the temporary noise, dust, and traffic congestion, none of which are considered significant adverse impacts after mitigation. Therefore, the analysis does not evaluate construction impacts further. Only significant adverse impacts associated with Project operations are considered in this analysis in evaluating disproportionate impacts.

Offshore, the only significant adverse impacts that cannot be fully mitigated are the offshore visual and recreational impacts from the presence of the FSRU and public safety impacts outside the FSRU security zone (see Sections 4.3, "Aesthetics," 4.15, "Recreation," and 4.2, "Public Safety", respectively). Since it would be visible primarily to recreational boaters with a variety of socioeconomic backgrounds, it is not expected to disproportionately adversely affect minority or low-income communities onshore. The analysis also concludes that there would be no significant impact to recreational or commercial fishing (see Section 4.17, "Socioeconomics"). Therefore, the impacts of the FSRU and offshore pipelines were eliminated as potential environmental justice concerns.

This analysis focuses on the potential impact of an onshore pipeline rupture, which was discussed in detail in Section 4.2, "Public Safety."

Potential impacts and mitigation measures proposed for impacts are discussed below. A summary of potential impacts and the proposed mitigation measures is provided in Table 4.19-10.

Table 4.19-10 Summary of Environmental Justice Impacts and Mitigation Measures

Impact	Mitigation Measure(s)
EJ-1: There would be a permanent risk of a pipeline rupture that could cause a fire that would disproportionately adversely affect a minority community (Class II).	<p>MM EJ-1a. Notification in Spanish. Notification of the public comment meetings shall be delivered directly to those residents within the pipeline's HCAs in both English and Spanish.</p> <p>AMM PS-6a. Applicant Would Construct all Pipelines to Meet Class 3 Design Criteria. Applicant Has Opted to Construct all Pipelines to Meet Class 3 Design Criteria.</p> <p>MM PS-6c. Include Automatic Shut Down Valves (ASDVs) and</p>

Table 4.19-10 Summary of Environmental Justice Impacts and Mitigation Measures

Impact	Mitigation Measure(s)
	<p>Check Valves in HCAs. The Applicant shall include automatic shutdown valves (ASDVs) with appropriate blow-down time on the upstream side of the pipeline and check valves on the downstream side in HCAs. This provides additional means for isolating segments of the pipeline should a rupture occur.</p> <p>MM PS-7a. Define HCA for any potential impact radius (PIR) that includes one or more mobile homes. Assist residents to improve emergency planning. Areas where the PIR includes one or more normally occupied mobile homes or travel trailers used as temporary or semi-permanent housing shall be defined as an HCA.</p> <p>MM PS-7b. Define an HCA for areas where the PIR includes part or all of a manufactured-home residential community. Provide mitigation measures (e.g., smoke detectors and outreach for notification and escape planning) to all residents of that community.</p> <p>MM PS-7c. Implement Public Education/Awareness Program. In accordance with pipeline safety requirements contained in 49 CFR 192 Part O, the Applicant shall develop and implement a public education and awareness program.</p> <p>MM PS-8a. Define HCA. An HCA shall be defined in this area using the mobile home park property boundaries and any garden areas as the edge of an outdoor area that meets HCA criteria.</p>

4.19.4.1 Pipeline Operation

Impact EJ-1: Disproportionate Impact on Minority and Low-Income Community of a Pipeline Accident

There would be a long-term risk of a pipeline rupture that could cause a fire that would disproportionately adversely affect a minority community (Class II).

As discussed above, the Center Road Pipeline block data show that the percent of population that is Hispanic or Latino within the HCA is 51 percent (Table 4.19-3). In addition, this area has a poverty level above the County's level.

The only potential onshore significant impact that could significantly adversely affect populations would result from a rupture of the pipeline and release of natural gas or a rupture of the mercaptan odorant storage tank associated with the odorization facility at the shore crossing, with or without subsequent ignition. The odorant storage tank is remote from residences and therefore not an environmental justice concern. A pipeline rupture would result in a fire if ignited.

Pipeline design criteria become more stringent as the population in proximity to the pipeline increases, which reduces the risk of such a rupture. In addition, new, more stringent requirements have recently been developed requiring pipeline operators to identify areas along the pipeline where an incident could have potentially greater impacts on members of the public. Such areas are identified as High Consequence Areas (HCAs), which can include both geographical areas that reflect the hazard

1 footprint of an accident and sites identified within HCAs that would require special
2 mitigation.

3 In preparing this EIS/EIR, it was determined that straightforward application of the
4 regulatory definitions for identifying these HCAs would not adequately address the
5 potential risk for people living in manufactured homes, mobile homes, or in travel trailers
6 used for temporary or semi-permanent housing near the pipeline.

7 The mobile home parks located on Pidduck and Dufau Roads near milepost (MP) 4.1 of
8 the proposed Center Road Pipeline route were identified as areas where a significant
9 impact could disproportionately affect minority or low-income residents. This housing
10 was identified in a review of aerial photos and a confirmatory field inspection by Ecology
11 and Environment, Inc. (E & E) staff in June 2004 and August 2004. Although the
12 housing does not meet the strict definition of housing that would require identification of
13 an HCA, the field inspection also provided information to support defining this location
14 as an "identified site" under the regulations contained in 49 CFR 192, Subpart O, based
15 on observed levels of outdoor activity, particularly within the Dufau Road housing
16 community. A more detailed description of HCA determinations and a discussion of this
17 impact and mitigation measures are included in Section 4.2, "Public Safety."

18 Section 4.2, "Public Safety" discusses a significant impact along this route near MP 4.1
19 for the mobile home park residents located on Pidduck and Dufau Roads. This impact
20 would occur in Census Tract Number 47.02 within block 1019, which has a Hispanic or
21 Latino representation of 97 percent (Table 4.19-3). The Block Group in which this
22 potentially significant impact would occur also has a poverty level above the Ventura
23 County level. Due to the percentage of Hispanic and Latino population that would be at
24 risk for this significant potential safety impact, this impact would disproportionately
25 adversely impact a minority population and is therefore considered a significant
26 environmental justice impact.

27 One of the goals of Executive Order 12898, Environmental Justice, is to provide
28 minority communities with meaningful access to public information on, and an
29 opportunity for public participation in, matters related to human health and the
30 environment.

31 Enhanced access to public information is a goal of this EIS/EIR, particularly for the
32 Hispanic or Latino community. Actions taken to enhance opportunities for such
33 participation by minority and low-income residents in the environmental evaluation
34 process include identifying potential effects and mitigation measures through direct
35 consultation with affected community residents; easy and enhanced access to
36 meetings, crucial documents, and notices; and adequate access to public information
37 relating to human health and environmental planning, regulation, and enforcement.

38 The public involvement activities related to the Project include:

- The Project website includes information in both English and Spanish regarding the proposed Project, LNG background, the Deepwater Port Act (DWPA), and the open houses and scoping meetings.
- The NOI/NOP was also made available on the website in Spanish.
- Spanish-speaking individuals were available at all three open houses and scoping meetings for participants who required translations, and literature provided at the open houses was available in both English and Spanish.
- Comments made in Spanish were accepted and translated into English for the entire EIS/EIR team.
- The EIS/EIR will be translated into Spanish.
- Spanish translators will be present at the public meetings to receive comments on the draft EIS/EIR.

The applicant has incorporated the following into the Project:

AMM PS-6a. Applicant Would Construct all Pipelines to Meet Class 3 Design Criteria. Applicant has opted to construct all pipelines to meet Class 3 design criteria (see Section 4.2, "Public Safety").

Mitigations for Impact EJ-1: Disproportionate Impact to Minority Community of a Pipeline Accident

MM EJ-1a. Notification in Spanish. Notification of the public comment meetings shall be delivered directly to those residents within the pipeline's High Consequence Areas in both English and Spanish, and public education instruction and materials shall also be available in English and Spanish.

The following also apply here:

MM PS-6c. Include Automatic Shut Down Valves (ASDVs) and Check Valves in HCAs (see Section 4.2, "Public Safety").

MM PS-7a. Define HCA for any PIR that includes one or more mobile homes. Assist residents to improve emergency planning (see Section 4.2, "Public Safety").

MM PS-7b. Define an HCA for areas where the PIR includes part or all of a manufactured-home residential community. Provide mitigation measures (e.g., smoke detectors and outreach for notification and escape planning) to all residents of that community (see Section 4.2, "Public Safety").

MM PS-7c. Implement Public Education/Awareness Program. The Applicant shall develop and implement a public education and awareness program (see Section 4.2, “Public Safety”).

MM PS-8a. Define HCA. An HCA shall be defined in this area using the mobile home park property boundaries and any garden areas as the edge of an outdoor area that meets HCA criteria (see Section 4.2, “Public Safety”).

The mitigation measures described above would further reduce the potential frequency of an accident involving this section of pipeline by defining the area as an HCA, which triggers increased requirements for inspection, testing, reporting, and public education, and reducing the potential consequences of an incident. For example, the installation of automatic isolation and check valves would automatically limit the potential duration of any fire.. With the implementation of these measures, the potentially disproportionate impact on public safety for residents of this community would be reduced to levels commensurate with those for any other residential area located along the pipeline route. With the implementation of these measures, the environmental justice impact is reduced to a level that is less than significant.

4.19.5 Alternatives

4.19.5.1 No-Action Alternative

Under this alternative, the Cabrillo Port Deepwater Port License application would not be approved, and the Project would not proceed. Under this alternative, existing environmental conditions would prevail.

4.19.5.2 Alternative DWP Location - Santa Barbara Channel/Mandalay Shore Crossing/Gonzales Road Pipeline

This route would most likely have environmental justice impacts similar to the proposed Project that would require implementation of the following mitigation measures: MM EJ-1a; MM PS1a-d; and MM PS-2b.

4.19.5.3 Alternative Onshore Pipeline Routes

Center Road Pipeline Alternative 1

Alternative 1 was previously within the proposed Project and crosses many more residential areas than the current proposed route. A substantially larger number of residences would be impacted along this alternate route, which would pass by close to between 1,200 and 1,400 residences.

This Alternative was initially the proposed route because it utilized existing right-of-way (ROWs) through the city streets and was believed to have lesser impacts on the community for this reason, but in response to public comments concerning safety at the

scoping meetings in March 2004, a new proposed route through agricultural lands was investigated and determined to be feasible. As shown in Table 4.19-2, aggregate data show that 82 percent of the population along this route is Hispanic or Latino in comparison with the aggregate Hispanic population of 58 percent along the revised Project ROW.

As such, changing the proposed route has significantly reduced the number of people in the potential impact area of the pipeline and reduced the impact to minority communities.

Table 4.19-7 presents a summary of populations below the poverty level for the Center Road Pipeline and its alternatives. This Alternative affects a population with a 14 percent poverty rate, which is above the poverty rate of 12 percent for the proposed route.

This Alternative would avoid the specific public safety impact on residents at about MP 4.1 of the proposed route. However, the HCA for this pipeline would be much larger and public safety impacts would affect a greater number of people.

Center Road Pipeline Alternative 2

Much of this Alternative route is located in agriculturally dominated areas; 89.7 percent of the land along the route is in agricultural use. This alternative would involve the same impacts as the proposed route. The aggregate Hispanic or Latino population is 55 percent in comparison with the population along the proposed route of 58 percent. The poverty level is the same as the proposed route at 12 percent. This Alternative would have the same public safety impact to residents at about MP 4.1.

Line 225 Pipeline Loop Alternatives

Like the proposed route, this alternative would not have impacts that disproportionately, adversely impact minority or low-income communities.

4.19.5.4 Alternative Shore Crossing/Pipeline Route

Point Mugu Shore Crossing/Casper Road Pipeline

The potential impacts on environmental justice and public safety for this alternate shore crossing and 1.5-mile (2.4-kilometers [km]) long alternative pipeline route are similar to those associated with MP 0.0 to approximately MP 2.5 of the proposed Center Road Pipeline, which this alternative would replace.

Arnold Road Shore Crossing/Arnold Road Pipeline

The potential impacts to environmental justice and public safety for this alternate shore crossing and 1.5-mile (2.4-km) long alternative pipeline route are similar to those associated with MP 0.0 to approximately MP 1.8 of the proposed Center Road Pipeline, which this alternative would replace.

4.19.6 References

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